

EEOC Form 5 (11/09)

CHARGE OF DISCRIMINATION This form is affected by the Privacy Act of 1974. See enclosed Privacy Act Statement and other information before completing this form.		Charge Presented To: Agency(ies) Charge No(s): <input type="checkbox"/> FEPA <input checked="" type="checkbox"/> EEOC 550-2021-00251	
CALIFORNIA DEPARTMENT OF FAIR EMPLOYMENT & HOUSING and EEOC <i>State or local Agency, if any</i>			
Name (indicate Mr., Ms., Mrs.) MS. YANIRA GONZALEZ		Home Phone (305) 793-6408	Year of Birth 1971
Street Address City, State and ZIP Code 54 NOLL STREET, APT 517, BROOKLYN, NY 11206			
Named is the Employer, Labor Organization, Employment Agency, Apprenticeship Committee, or State or Local Government Agency That I Believe Discriminated Against Me or Others. (If more than two, list under PARTICULARS below.)			
Name APTTUS CORPORATION		No. Employees, Members 15 - 100	Phone No. (650) 445-7700
Street Address City, State and ZIP Code 1400 FASHION ISLAND BOULEVARD, SUITE 100, SAN MATEO, CA 94404			
Name		No. Employees, Members	Phone No.
Street Address City, State and ZIP Code			
DISCRIMINATION BASED ON (Check appropriate box(es).) <input type="checkbox"/> RACE <input type="checkbox"/> COLOR <input checked="" type="checkbox"/> SEX <input type="checkbox"/> RELIGION <input type="checkbox"/> NATIONAL ORIGIN <input checked="" type="checkbox"/> RETALIATION <input checked="" type="checkbox"/> AGE <input checked="" type="checkbox"/> DISABILITY <input type="checkbox"/> GENETIC INFORMATION <input checked="" type="checkbox"/> OTHER (Specify) Equal Pay		DATE(S) DISCRIMINATION TOOK PLACE Earliest Latest 03-18-2018 12-13-2019 <input type="checkbox"/> CONTINUING ACTION	
THE PARTICULARS ARE (If additional paper is needed, attach extra sheet(s)): Throughout my employment with the Respondent, I was subjected to discrimination on the basis of my age, my sex, my disability status, and in retaliation. In or around March of 2018, I was discriminated against by an Asian, male counterpart during a call. I complained to my manager, who thereafter advised me to deal with it. Also in or around March of 2018, an Account Director again suggested that I learned to deal with an Indian male counterpart with whom I was having difficulty. No investigations were done into my complaints. In or around April 2018, a male Director was hired to replace me a project that I was assigned to, and he was brought on at a higher salary. I complained about this, but no investigation was done into my complaint. In or around May 2018, I took a medical leave of absence related to a disability.			
I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or phone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures. I declare under penalty of perjury that the above is true and correct. Digitally signed by Yanira Gonzalez on 12-08-2020 08:19 AM EST		NOTARY - When necessary for State and Local Agency Requirements I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief. SIGNATURE OF COMPLAINANT SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE (month, day, year)	

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<p style="text-align: center;">CHARGE OF DISCRIMINATION</p> <p style="font-size: small;">This form is affected by the Privacy Act of 1974. See enclosed Privacy Act Statement and other information before completing this form.</p>	<p>Charge Presented To: Agency(ies) Charge No(s):</p> <p> <input type="checkbox"/> FEPA <input checked="" type="checkbox"/> EEOC </p> <p style="text-align: right;">550-2021-00251</p>
<p>CALIFORNIA DEPARTMENT OF FAIR EMPLOYMENT & HOUSING and EEOC</p> <p style="font-size: x-small;"><i>State or local Agency, if any</i></p>	
<p>In or around October 2018, I was assigned to a project with another male Director who was unprepared for a client presentation. I informed my manager of the person's lack of readiness. As before, I was told to just deal with it.</p> <p>In or around June of 2019, I was assigned to replace the person that was hired in April 2018, because he couldn't do the job well. I thereafter requested a meeting and I was told to focus on the project and not to give lessons learned.</p> <p>On or around November of 2019, I requested 2-3 weeks to work remote from England.</p> <p>In or around December of 2019, I was dismissed during a call with Human Resources and my Director, on the grounds on performance, related concern and misrepresentation of work location. I was not provided with severance, nor were my stocks or bonuses awarded to me.</p> <p>I believe that I have been discriminated against on the basis of my age, in violation of the Age Discrimination in Employment Act of 1967, as amended. I also believe that I have been discriminated against on the basis of my sex, in violation of Title VII of the Civil Rights Act of 1964, as amended. I also believe that I have been discriminated against on the basis of my disability, in violation of the Americans with Disabilities Act of 1990, as amended. Lastly, I believe that I have been retaliated against for my participation in a protected activity, in violation of the statutes.</p>	

<p>I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or phone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures.</p>	<p>NOTARY - <i>When necessary for State and Local Agency Requirements</i></p>
<p>I declare under penalty of perjury that the above is true and correct.</p>	<p>I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief.</p>
<p>Digitally signed by Yanira Gonzalez on 12-08-2020 08:19 AM EST</p>	<p>SIGNATURE OF COMPLAINANT</p>
	<p>SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE (month, day, year)</p>

CP Enclosure with EEOC Form 5 (11/09)

PRIVACY ACT STATEMENT: Under the Privacy Act of 1974, Pub. Law 93-579, authority to request personal data and its uses are:

1. FORM NUMBER/TITLE/DATE. EEOC Form 5, Charge of Discrimination (11/09).

2. AUTHORITY. 42 U.S.C. 2000e-5(b), 29 U.S.C. 211, 29 U.S.C. 626, 42 U.S.C. 12117, 42 U.S.C. 2000ff-6.

3. PRINCIPAL PURPOSES. The purposes of a charge, taken on this form or otherwise reduced to writing (whether later recorded on this form or not) are, as applicable under the EEOC anti-discrimination statutes (EEOC statutes), to preserve private suit rights under the EEOC statutes, to invoke the EEOC's jurisdiction and, where dual-filing or referral arrangements exist, to begin state or local proceedings.

4. ROUTINE USES. This form is used to provide facts that may establish the existence of matters covered by the EEOC statutes (and as applicable, other federal, state or local laws). Information given will be used by staff to guide its mediation and investigation efforts and, as applicable, to determine, conciliate and litigate claims of unlawful discrimination. This form may be presented to or disclosed to other federal, state or local agencies as appropriate or necessary in carrying out EEOC's functions. A copy of this charge will ordinarily be sent to the respondent organization against which the charge is made.

5. WHETHER DISCLOSURE IS MANDATORY; EFFECT OF NOT GIVING INFORMATION. Charges must be reduced to writing and should identify the charging and responding parties and the actions or policies complained of. Without a written charge, EEOC will ordinarily not act on the complaint. Charges under Title VII, the ADA or GINA must be sworn to or affirmed (either by using this form or by presenting a notarized statement or unsworn declaration under penalty of perjury); charges under the ADEA should ordinarily be signed. Charges may be clarified or amplified later by amendment. It is not mandatory that this form be used to make a charge.

NOTICE OF RIGHT TO REQUEST SUBSTANTIAL WEIGHT REVIEW

Charges filed at a state or local Fair Employment Practices Agency (FEPA) that dual-files charges with EEOC will ordinarily be handled first by the FEPA. Some charges filed at EEOC may also be first handled by a FEPA under worksharing agreements. You will be told which agency will handle your charge. When the FEPA is the first to handle the charge, it will notify you of its final resolution of the matter. Then, if you wish EEOC to give Substantial Weight Review to the FEPA's final findings, you must ask us in writing to do so within 15 days of your receipt of its findings. Otherwise, we will ordinarily adopt the FEPA's finding and close our file on the charge.

NOTICE OF NON-RETALIATION REQUIREMENTS

Please **notify** EEOC or the state or local agency where you filed your charge **if retaliation is taken against you or others** who oppose discrimination or cooperate in any investigation or lawsuit concerning this charge. Under Section 704(a) of Title VII, Section 4(d) of the ADEA, Section 503(a) of the ADA and Section 207(f) of GINA, it is unlawful for an *employer* to discriminate against present or former employees or job applicants, for an *employment agency* to discriminate against anyone, or for a *union* to discriminate against its members or membership applicants, because they have opposed any practice made unlawful by the statutes, or because they have made a charge, testified, assisted, or participated in any manner in an

investigation, proceeding, or hearing under the laws. The Equal Pay Act has similar provisions and Section 503(b) of the ADA prohibits coercion, intimidation, threats or interference with anyone for exercising or enjoying, or aiding or encouraging others in their exercise or enjoyment of, rights under the Act.